



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street  
San Francisco, CA 94105

September 8, 2004

SFUND RECORDS CTR  
**2058830**

Lind Coop  
Fred R. Rippey, Inc.  
12471 E. Washington Boulevard  
Whittier, CA 90602

Re: CERCLA 104(e) Request for Information  
Omega Chemical Superfund Site, Whittier, CA

Dear Mr. Coop:

Pursuant to the authority of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986 (CERCLA), 42 U.S.C. §§ 9601, et seq., the United States Environmental Protection Agency (EPA or the Agency) has determined that there was a release or substantial threat of a release of hazardous substances, as defined by Section 101(14) of CERCLA, 42 U.S.C. § 9601(14), from the Omega Chemical Superfund Site (Site). The purpose of this letter is to request information regarding the Site pursuant to Section 104(e) of CERCLA, 42 U.S.C. §9604(e).

The EPA is spending public funds to investigate and respond to the release or threatened release of hazardous substances into the soil and groundwater at the Site. As part of its investigation EPA is seeking to determine the nature and extent of contamination at the Site, to assess the effects of contamination on the environment and public health, and to identify activities and parties that have or may have contributed to contamination at the Site. EPA believes that you may have information which may assist the Agency in its investigation of the Site.

Under Section 104(e) of the CERCLA, 42 U.S.C. §9604(e), EPA has broad information gathering authority which allows EPA to require persons to furnish information or documents relating to:

- (A) The identification, nature, and quantity of materials which have been or are generated, treated, stored, or disposed of at a vessel or facility or transported to a vessel or facility.
- (B) The nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at or from a vessel or facility.
- (C) Information relating to the ability of a person to pay for or perform a cleanup.

Although the Agency anticipates your full cooperation in this matter, please note that your compliance with this Information Request is mandatory under Section 104(e)(5) of CERCLA, 42 U.S.C. §9604(e)(5). Failure to comply could result in the imposition of penalties of up to **\$32,500 per day**. We encourage you to give this matter your immediate attention and request that you provide a response to this Information Request within **ten (10) calendar days** of your receipt of this letter.

EPA is requesting electronic or hard copies of all environmental data and reports associated with the property at 12520 Washington Boulevard in Whittier, California.

The information EPA is requesting may be considered by you to be confidential. Please be aware that you may not withhold the information upon that basis. If you wish EPA to treat the information confidentially, you must advise EPA of that fact by following the procedures outlined in Attachment A, including the requirement for supporting your claim for confidentiality.

If you have information about other parties who may have information which may assist the Agency in its investigation of the Site or may be responsible for the contamination at the Site, that information should be submitted within the time frame noted above.

This request for information is not subject to review by the Office of Management and Budget ("OMB") under the Paperwork Reduction Act because it is not an "information collection request" within the meaning of 44 U.S.C. §§3502(4) and (11), 3507, 3512, and 3518. Furthermore, it is exempt from OMB review under the Paperwork Reduction Act because it is directed to fewer than ten persons. 44 U.S.C. §3502(4), (11); 5 C.F.R. §1320.5(a).

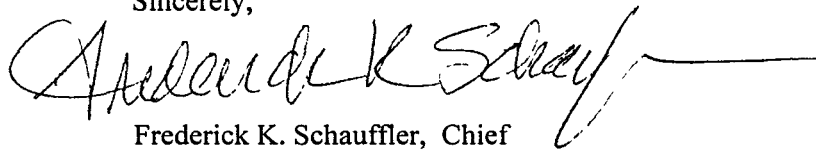
Please return your written response to this request for information, signed by you or a duly authorized official of your company, within **ten (10) calendar days** of receipt of this letter. Please direct your response to:

Chris Lichens  
U.S. Environmental Protection Agency, Region IX  
75 Hawthorne Street, SFD-7-4  
San Francisco, California 94105

If you have questions regarding this information request, please contact Chris Lichens at (415) 972-3149. Please direct any legal questions to Thanne Cox (415) 972-3908.

We appreciate and look forward to your prompt response to this information request.

Sincerely,

A handwritten signature in dark ink, appearing to read "Frederick K. Schauffler", followed by a long horizontal line extending to the right.

Frederick K. Schauffler, Chief  
Site Cleanup Section 4  
Superfund Site Cleanup Branch

## ATTACHMENT A

**Confidential Information.** The information requested herein must be provided even though you may contend that it includes confidential information or trade secrets. You may assert a confidentiality claim covering part or all of the information requested, pursuant to Sections 104(e)(7)(E) and (F) of CERCLA, 42 U.S.C. §§9604(e)(7)(E) and (F), and Section 3007(b) of RCRA, 42 U.S.C. §6927(b), and 40 C.F.R. §2.203(b). If you make a claim of confidentiality for any of the information you submit to EPA, you must prove that claim. For each document or response you claim confidential, you must separately address the following points:

- a. clearly identify the portions of the information alleged to be entitled to confidential treatment;
- b. the period of time for which confidential treatment is desired (e.g., until a certain date, until the occurrence of a specific event, or permanently);
- c. measures taken by you to guard against the undesired disclosure of the information to others;
- d. the extent to which the information has been disclosed to others, and the precautions taken in connection therewith;
- e. pertinent confidentiality determinations, if any, by EPA or other federal agencies, and a copy of any such determinations or reference to them, if available; and
- f. whether you assert that disclosure of the information would likely result in substantial harmful effects on your business' competitive position, and if so, what those harmful effects would be, why they should be viewed as substantial, and an explanation of the causal relationship between disclosure and such harmful effects. To make a confidentiality claim, please stamp, or type, "confidential" on all confidential responses and any related confidential documents. Confidential portions of otherwise nonconfidential documents should be clearly identified. You should indicate a date, if any, after which the information need no longer be treated as confidential. Please submit your response so that all nonconfidential information, including any redacted versions of documents are in one envelope and all materials for which you desire confidential treatment are in another envelope.

All confidentiality claims are subject to EPA verification. It is important that you satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so, and that it is not and has not been obtainable by legitimate means without your consent. Information covered by such claim will be disclosed by EPA only to the extent permitted by CERCLA Section 104(e). If no such claim accompanies the information when it is received by EPA, then it may be made available to the public by EPA without further notice to you.



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Dear Customer:

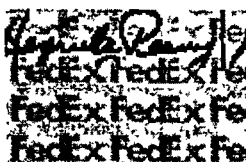
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**Shipping Information:**

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